

TOWN OF PITTSFIELD

FOR YOUR INFORMATION:

TOWN MANAGER'S REPORT FOR 04/05/2022:

The Town's Computer System upgrade started after the last Council Meeting and has taken time. We have spent our time making sure that customers are assisted with their payments and questions. Due to having older computers which work best with the required printers and setups by the State of Maine, we may have been slower in processing items but there were few conflicts. We are experiencing quite a few issues now as a number of the types of printers required by the State in order to process State registrations and licenses are not very compatible with our new computers. We continue to work through the issues with our first priority being that citizens' payments and registrations are being processed. This has resulted in few projects being worked on. Now it is time for all of our mandated quarterly reports as we are through three months of the year. I will resume working on a number of projects as soon as the quarterly reports are completed.

New Items and Important Reminders:

These items will be referred to but not read as the Council has heard them several times. The items are important though for the citizens, especially those who are new and tune in to Town Hall Streams, watch the videos later or use the website:

1. Maine On-line Burn Permits Became Free of Charge: On-line Burn Permits are now free of charge. Burn permits are available at maineburnpermit.com

2. Important Reminder: 2022 Transfer Station Stickers: In order to reduce costs at the Transfer Station by making sure that only those who should be dumping garbage are doing so, new stickers are being issued each year. Stickers have been sale since December 01, 2021. Residential stickers are \$20.00 each and Commercial are \$40.00 each. The staff are policing the facility, therefore, please obtain your sticker. We do not want to have you show up at the Transfer Station and have to turn you away. There are still a lot of households that need to pick up their new sticker to utilize the Transfer Station.

3. Important Reminder: 2022 Dog Licenses: All dogs over 6 months old must be registered prior to January 31, 2022. As of February 01, 2022 there is a \$25.00 late fee per animal licensed. The State law requires the late fee be assessed. We have been registering dogs since October 15th and have had this information advertised for quite some time with regular updates at the Town Council Meeting. We apologize, however, the fee must be charged.

4. Important Reminder: Online Services: For re-registration of vehicles, boats and other services go to www.pittsfield.org and click on the Citizens' Tab, choosing on-line services at the top of the page.

Please remember that Motor Vehicle has advised the Town that there is an aluminum shortage and we will receive a reduced inventory of new plates so if you do not need a new plate and can use your current plate, please do so. We are also going to receive reduced inventories of stickers.

5. On-line Council Materials: We would also like to make sure that people know where to go to get the Town Council packages. Go to www.pittsfield.org to the right-hand side of the home page and click on Government Services, then click on Town Council Packages and then on 2022 Council Packages. Then you can review the pack. If you print it out, make sure that you look at it first to see how many pages it is as you may only want a section of the package along with the agenda.

6. Cleaning out Your Home / Downsizing – Think of the Re-Use Center:

Please consider donating your left-over items to the Trash to Treasure Re-Use Center. Citizens who are cleaning out their homes for sale or just downsizing may contact the Pittsfield Town Office at 487-3136 or finance3@pittsfield.org to schedule an appointment to drop off items to the Re-Use Center. As the Center is closed now, an appointment is needed. Please do not drop off items in the yard as they will get wet and not be of any use to anyone. We are currently re-stocking the building so we need new materials. Please remember, no bedding or clothing. All clothing should be donated to Pennywise. Bedding can be dropped off in our Textile container as you enter the Transfer Station. At times we are taking items up at the Transfer Station and moving them down to the Re-Use Building depending upon staffing. It is almost time to start planning yard sales so if anyone would like to cut down on the items to move around, think of the Re-Use Center and Pennywise.

Current and Upcoming Activities:

7. Special Election for Town Councilor Open Position:

Two candidates filed Nomination Papers by the deadline and both papers were certified by the Town Clerk. Heather Donahue, former Mayor and Town Councilor and Lindsay Holmstrom, Recreation Committee member and organizer for the Skating Rink are running for the one seat available with a term that expires December 31, 2022. The Election to be held for Councilor – At Large is on Thursday, April 21, 2022. Everyone is encouraged to vote!

8. MSAD#53 District Public Hearing:

As discussed at the last Town Council Meeting, the District was going to verify the date of the upcoming hearing. That date is Thursday, May 19, 2022 at 6:30 pm in the Warsaw Gym. After the hearing, the second part of the process, which is the referendum vote should be scheduled in June with the State vote. Our Primary and potential Referendum Election is scheduled for June 14, 2022.

9. Fendler Park Boat Launch:

Bill Cunningham is back in action on a new plan for the staircase boat slide for the boat launch. He has developed a concept of a poured reinforced concrete staircase (15 step, 7 feet wide) boat slide for the Fendler Park boat launch site. This would be similar to the 20 plus year old poured concrete staircase boat slide at the hand carry boat launch in New Sharon, Maine on the Sandy River that shows no damage from the ice in the river after all these years. There will be no additional charge for this plan if it is done by Kleinschmidt. There were some misgivings from some of the contractors who were providing estimates about the plan to use pressure treated wood to construct the staircase and securing each end of it to pre-made concrete slabs. The contractors thought that the pond ice could damage it resulting in the need and expense for future repair work. Dr. Cunningham studied the situation and looked into how newly cut pinned granite slabs could be used for a staircase after talking with a granite supplier and two landscape companies that install staircases like this. He looked at some other options too and with the advice of Kleinschmidt engineers concluded that other options were not viable. Both Dr. Cunningham and Kleinschmidt have settled on a plan for the concrete staircase which is now underway. Dr. Cunningham will then work with Kleinschmidt and others to have the Planning Board, Code Enforcement Officer, Maine DEP and Army Corp approve this change; then obtain more project estimates; get the Bid Specs prepared so that the project can go out to bid; then solicit contributions from local donors; and apply for project grants that may be available to cover construction.

10. MaineDOT rolls out a new Village Partnership Initiative (VPI) for 2022:

Update: Please see the Ec Dev Update for the April 05, 2022 meeting. In addition, I have contacted MaineDOT a few times to hear back on April 04, 2022 that MaineDOT can meet with me virtually tomorrow so that I can update the Town Council at our Meeting. I have advised that we can do this but if a meeting can be held next week in the evening at 5:00 pm or thereafter, that the Councilors would like to do this so that they be involved. If we had a workshop next week with MaineDOT, the Councilors who want to tune in could do so. I have held the report for awhile but not heard back yet as likely people have gone home for the day.

Update:

Minutes of the Town's recent meeting with the MaineDOT's Regional Planner for our town were included in the Council Package. The meeting was attended by our Engineering Consultant Chip Haskell, Heather Donahue from the CDBG Advisory Group and myself. While we were advised that we would qualify for the Small Spots project, I did check with the Planner for MaineDOT who advised of another program in which we would work with MaineDOT on a

downtown visioning project and receive 50% of the cost of the planning through a Memorandum of Understanding. While we have accumulated quite a lot of funds for projects in the downtown, we have not had a Main Street or Downtown vision. More information is to be available to the Town including a meeting to be scheduled by MaineDOT. I will advise when I receive more information on this interesting opportunity.

History:

Today, new program materials arrived which are contained in Attachment #1 (prior meeting report). This is a new program which has some similarities to programs that the MaineDOT had in the 1990's and early 2000's on bridges, road cost sharing and downtown gateways which were phased out. The new program allocates a total of \$5,000,000 in matching state funds for projects at one of two levels, either large transformative projects focused on place-making in a village center to be walkable, bicycle-friendly and business-friendly; or for Small Spot Improvements such as gateway treatments, traffic calming and improving pedestrian facilities and ADA compliance.

The transformative project overlaps with the Town's efforts to enhance the downtown which at the time that we put the plan together consisted of applying for all applicable funding that was available. This was a piece-meal attempt as funding was not available from one source for what we wanted to accomplish. The approach did work as we received many awards but was difficult and will continue to be difficult to manage. I have contacted MaineDOT to see if with our current funding commitments, there are any opportunities available.

We may be able to participate in Small Spot Improvements as we can certainly use some traffic calming and improvement of pedestrian facilities with ADA compliance on the state roads especially down by the Plaza. I understand that what the MaineDOT approved at the site fit within their guidelines, however, this is a congested area that could use enhancement. Please think about whether there are other potential Small Spot Improvement areas.

11. Water, Sewer and Road Construction Costs for Pittsfield:

Based upon past work and a review of the most current costs for recent projects, Olver Associates and the Town have calculated a preliminary cost to update the Town's water, sewer and roads. While this is an estimate, it is a reasonable preliminary estimate to replace water and sewer mains and rebuild and pave roadways. This information will be presented at the Council meeting.

12. Cianbro's IT Manager Reviewed Council Chambers:

Update: I have not received a list of items to purchase yet, however, I am sure that the Chief Information Officer is very busy given how many locations he is in charge of for all of Cianbro's information. When I receive the list of new items for the Council Chambers to purchase in order to improve the sound quality in our cement room, I will have everything purchased if our funds permit. If not, I will process a resolution for the purchases with a funding source listed and we can discuss it at a meeting.

History:

We were graciously offered the assistance of Cianbro's Chief Information Officer who is in charge of all company locations. Mr. Rodrigue was very articulate and knowledgeable about IT issues. On March 11, 2022, he reviewed the Council Chambers, Digitization of paper records, Town Manager/Department Heads collaboration needs and other meetings with Town employees digitally (without going through ZOOM) and Internet/WIFI connectivity issues. Mr. Rodrigue will be back in town in a week or so and then follow up. Through using the newest equipment and these type of services for several years in the private sector, he knows the best items to purchase and will provide recommendations.

13. 2022 Speed Trailer Application:

Update: The loaner Speed Trailer arrives at the beginning of May 2022. The PD and Highway Departments will be coordinating on locations. Last time, we had the trailer for 2 weeks and a few days. It was quite helpful in slowing down speeders. When I spoke with Acting Chief Cochran, we thought of the same speeding spots where the Speed Trailer is really needed. In addition on April 6, 2022, our Speed Zone Sign (a stationary sign) will arrive. We will need to determine a location for this sign. I think we all know the road that requires a sign every day.....

History:

We are awaiting our new Speed Device that we were awarded last Spring. Unfortunately, chain supply issues prevailed after COVID hit. I did not sign up to borrow the Speed Trailer for 2022 as we thought the units were coming in. Unfortunately, the chain supply issues and now contract issues are continuing. Therefore, I did submit an application for the Town to have the Speed Trailer which we would move around town. It will display the current speed of a driver as he/she comes upon the sign. This was very effective the last time that we borrowed it. If chosen, we would receive the unit for two weeks and be responsible to coordinate transportation of the unit from the previous town and coordinate with the next town for pickup.

14. 2022 Clean Water State Revolving Loan Fund (CWSRF) Infrastructure (Construction) Projects:

Update: Attached as Addendum #1 are the three CWSRF applications filed by Olver Associates for the upcoming Infrastructure (Construction) Projects that allow for the use of the Clean Water State Revolving Loan Fund and hopefully if we are fortunate enough, some forgiveness of principal and/or reduced loan interest rate. One year we were fortunate to receive a 0.0% interest rate which frankly over a long-term loan is similar to receiving a grant for part of the project. Applications were submitted for Birchwood Terrace and Library Street as they are listed as two of the Town Council's priority projects and Hunnewell Avenue as the sewer has some issues on that road.

History: Olver Associates is working on the applications that will need to be filed by the March 18, 2022 deadline. I have not yet seen copies of them to submit with this report. The applications that we talked about were for Birchwood Terrace and Library Street as these were on the Town Council's original priority listing. As we seem to be applying for both water and

sewer on the priority projects, Annaleis has brought to my attention through the collection of material for the water and sewer status lists the fact that Hunnewell is going down hill on the water side, which means that we would submit an application for the sewer also. These are applications for funding and if awarded, the Town is not committed to the projects. Given that three applications are being submitted, it is unlikely that all three applications would be approved.

Background:

A recommendation on the applications to file for this program will be part of the March 15, 2022 Council meeting. With all the additional funding available it may provide for an increased amount of forgiveness. If so, the Town will have a much better chance to score high enough to obtain funding. While funds are available for straight loans at a low interest rate, the Town can only encumber a certain amount of debt before it starts affecting the Sewer and Water Enterprise Funds and our ability to perform other work.

I know that it has been said that we should be saving money for all of these projects, however, given the cost of sewer main replacement, the Town will be unable to save the millions of dollars that are needed. Right now, we have the opportunity to compete for forgiveness so that part of the sewer project will not be required to be paid back which is similar to getting a grant. Therefore, we should take advantage of this opportunity to apply for some projects.

I will work with Olver Associates Senior Process Engineer Annaleis Hafford on this opportunity to determine proposed projects. We will need to determine how far in the future the projects will be as that will determine when roads are paved so funds will need to be available. One never knows which project will be chosen, if any, which makes the paving component difficult to determine.

The loan program for 2022 for Sewer Construction (and Rehabilitation) projects was just received with a due date of March 18, 2022. Each year, the United States Congress has appropriated federal funds for the base CWSRF program to finance wastewater infrastructure projects and water quality improvement or protection projects. The funds are passed through the Environmental Protection Agency to State CWSRF programs to capitalize their loan programs. The Maine Department of Environmental Protection and the Maine Municipal Bond Bank administer Maine's CWSRF program. This program's allotment and the share of the funds that can be distributed in the form of loan principal forgiveness depending on the passage of the federal budget and the Appropriations Act language. The DEP has not yet received notification of the State's base CWSRF 2022 allotment, however, the Department is soliciting projects for funding so that they can make funds available as soon as possible.

President Biden signed the Bipartisan Infrastructure Law (BIL) on Monday, November 15, 2021. This is a huge and bold investment in our nation's infrastructure. For the State of Maine's CWSRF program, DEP is anticipating this supplemental funding to be \$13.7M for 2022, with an increasing annual amount from this fund through 2026.

The CWSRF Program will also be incorporating the remaining \$8.8M in ARPA funds that was announced with the enactment of Public Law 2021, Chapter 483 (LD1733) of the 130th Maine

Legislature, which was approved by Governor Mills' *The Maine Jobs & Recovery Plan*. This will further assist municipalities' wastewater infrastructure needs throughout the State.

Thus between the base CWSRF, the BIL Supplemental CWSRF, the ARPA funds, and the CWSRF repayments that come back into the program for reuse, the program will have an estimated \$80M in funds of which an estimated \$22.6M will be in the form of principal forgiveness and/or Grants. In the past, the base CWSRF and the CWSRF repayments for reuse would only provide an estimated \$50M in funds, of which \$4.9M was given out in the form of Principle Forgiveness. This is a significant increase in funding for our wastewater community in this time of need.

These projects will be environmentally ranked, and, if available, principal forgiveness will be offered to applicants based on the applicant's ability to afford the proposed project. Given the larger amount of funding available, the Town of Pittsfield, which often does not rank high as our sewer rates are lower than average and to date, we have had few environmental problems, may be able to score high enough for forgiveness.

Updated and/or Continuing Items:

15. Registration for the U.S. Government's System for Award Management (SAM):

Update:

The Town is updated again and now we will no longer utilize a DUNS number that we have had since filing our first grant application with the federal government in 2002 – for the Airport Runway. The Town will have a Unique Entity Identifier (UEI) that will replace DUNS on the new U.S. Government System for all federal grant awards.

History: I did get into the system and after quite a few attempts, was able to update our account. We received our confirmation a few days later and I figured another year is all set for all of our federal payments. Now, I have just received verification that we need to change over to another web-based system and have until the end of March to do so. Here we go again. I hope that all of these technology upgrades will make it easier to request our federal funds

You will recall I advised our federal government registration for use of the system that processes all our federal funding was coming due. Normally, this is not an issue and takes a few attempts to access the system to update and validate information on file. Then the Town is all set to receive federal funding for another year. Being advised that SAM had just been converted into a new system from the combination of over 10 federal websites as the Town enters a period in which we will receive the largest amount of federal funding we have every had was a bit worrisome. If our registration lapsed, it would take at least a month to be renewed, if not longer.

16. Airport Hangar, Apron and Taxiway Project updates:

Update: A course of action is being pursued regarding the error that took place on the Airport hangar. This is a claim. Under separate cover, information will be provided when the review is completed.

Bids are due on March 24, 2022 at 2:00 pm for the re-bid hangar, apron and taxiway project. If the low qualified bid is lower or the same, we have the solution in place. If the low bid is higher than the various funding sources that were compiled for the original project after great effort, we will need to determine if we can locate the appropriate funding for a new hangar, apron and taxiway in this day and age. The Advertisement of the Bid is in Attachment #3.

The meeting with Federal and State Representatives, Town Engineering Consultants, Fixed Base Operator and myself went well. It was agreed to re-bid the project which has already gone out to re-bid, been advertised by the Town and had the Pre-Bid Meeting held. When the bids are received and reviewed, we will have a better understanding of what needs to be done. It seems that additional funding may be able to be made available, additional time will be provided to pay back the inter-airport loan and the engineering consultant, once the bids come in and the situation is known, will go to their board to confirm their level of participation. We were asked to come up with additional funding, which is reasonable if the Town receives more grant funding and then should allocate the 5% match. Whether the Town itself, would put up additional funding is another matter and when asked, I did not commit to this indicating that we did not think that we were going to be obligated for any additional funding especially as we had received additional grants which lowered our need to contribute a higher amount. The action/s that are necessary will become evident when the bids are received.

History:

I wanted you to know about this as we are reviewing the Site Plan for the Airport project at the Planning Board Meeting Monday evening.

Over the weekend, it became apparent that there is a large wrinkle in this project. The State and Federal Government have worked on a potential solution. Unfortunately, the contractor with the lowest bid that was accepted by the Town Council for the project last October has pulled out of the project indicating that their company needs an additional 20+% due to higher costs for building materials and supplies as well as labor. This seems to be over \$350,000. Although this is upsetting, it is better to happen now rather than to have extensive change orders brought forth throughout the project that we could not approve. A general concept has been put forth by MaineDOT that would result in re-bidding the project. If the pricing is favorable, which likely will be higher, then there could be an additional year added onto the multi-year grant in which the Town would receive additional funding; the inter-loan agreement with Rangeley will be moved back one year which Rangeley has agreed with as they do not need the funds until then; and the Town would be loaned funds by another Town that has funding that it does not need right now and would likely lose. The Town has an intergovernmental loan put together by the MaineDOT with Rangeley now. We would need to amend that loan document and perhaps re-do the Ordinance authorizing it and process a new Ordinance with a second town. The funds that the Town borrows would then be paid from our future entitlement funds that airports receive each year. This is in concept stage right now

with a meeting just scheduled for Thursday, 02/17/2022 early in the morning to work out the details. We have been advised that within reason, we would receive additional grant funding so that the project can move forward.

17. 2019 Tax Liens foreclose on Friday, January 21, 2022:

Update:

We have some valuations now from the Assessing Consultant. As soon as the computer upgrade is complete, the process will begin.

History: I will compile the information so that we can move forward on this project. The Assessors are going to be out straight now as we near April 1 which is the Assessing date. Our regular Assessor did not come in today, March 14th. Last week, he had a large pile of information to go through so beyond asking about the Business Tax and how it applies to our mil rate, I did not inquire on several other items. Our regular Assessor has been out and the individual who is filling in is working on other types of projects so the properties that have foreclosed have not been reviewed with the Assessor who is familiar with the Town and properties.

Unfortunately, a few people did not pay their 2019 property taxes and to redeem their property will have to pay the 2019, 2020, 2021 and 2022 taxes if after April 1 of this year along with the Town's costs such as advertising fees and notices. Letters will be sent to the last known address for those whose property now owned by the Town due to the automatic foreclosure process. If someone does redeem their property within the timeframe that is established, an Ordinance will be placed on the Council Agenda to schedule a public hearing to transfer the property back to the former owner and then the public hearing held. After the public hearing is held, the Council would then vote to authorize the quit claim deed to be issued.

There are 6 new properties added to the town's rolls, properties that we do not want to own so after the redemption period is completed, it is likely that some properties will go out to Tax Acquired bid. Those individuals interested in Tax Acquired properties when the TAP Sale is authorized by the Town Council, please call the Town Office and provide your e-mail address for the notice and packs to be sent to you. There are two parcels of land and some land with dwellings. We need to see if the people can redeem their property in accordance with the law first. An agenda item will be submitted to meet with the Planning Board to see if any of the properties should be retained by the Town as a requirement of the TAP Ordinance. Then in the future after all of the steps are completed, there will be discussion and action, if appropriate at the Town Council Meeting to schedule a sale. From reviewing the parcel histories dating back to 2019 and before, one has had significant assessing issues and may need to be mitigated.

For those who have not yet paid their 2019 taxes, the liens on the property will automatically foreclose at the end of business on January 21, 2022. This is for taxes that were due in October 2019. There are now 24 properties on the foreclosure list. We urge those owners to pay their taxes in full by Friday. Notices of impending automatic foreclosure went out in December. If the taxes are not paid in full on Friday, the Town will own these properties. The Town does not want to own any tax acquired properties. In order to buy the property back, all

taxes, interest and costs for 2019, 2020 and 2021 will need to be paid in full in order to receive a Quit Claim deed from the Town after a public hearing. This would be very expensive so we would encourage you to pay off the 2019 tax lien in full.

18. Computer Services / Managed Services Onboarding:

Update:

The new computer installation started after the last Council Meeting (March 15, 2022) and was finished last week (ending April 1, 2022). There are still wrinkles to fix as the state required printers are not very compatible with newer computers. Our Assistant retired during this process. Our Town Clerk brought the project to fruition and did a great job. It was a frustrating two weeks as we have regular work that needs to be done, however, most of the computer functions do work. We will continue to tie up loose ends, and then get our many mandates and requirements taken care of for the first quarter. After a little non-computer focus time, we will then head out to work on the TRIO Programming Update.

History: Logically's plan was to have their Engineer onsite on Thursday, March 3, 2022 to install the new server. The staff was told that installing the new server will take a couple of hours and not result in any down time. TRIO's Implementation Project Manager/Technical Consultant from Harris (TRIO) was to join Logically's Engineer on Friday morning, March 4, 2022 to complete the migration. We understood that this will take a few hours and staff had been advised that there would be about 20 minutes of downtime for TRIO. This will be advertised as the staff will be unable to process any financial transactions during this period of time.

March 3rd worked out according to plan. This was not the case on March 4th as the server was down for several hours. We advertised on Facebook, the Town's website and the doors. We were able to assist many customers as we obtained a book of receipts to take in cash and checks. That way the citizens received a receipt and we used these hand written receipts to then enter the checks and cash into the TRIO system. We could not assist everyone as some items had to be done on the system with forms signed by the customer for the transaction to be complete.

Still no word on the individual computers which are to be installed so that we can move over to the new TRIO software. I do not see why we can not have the new TRIO software setup on a Wednesday when we are closed as to not to inconvenience our citizens.

Background:

To date, we have not received a schedule as the company does not know when all the parts will be available due to supply chain issues. Electronics seems to be quite affected. The company is starting to work on e-mail, software and other items. The company project manager calls to ask questions about our current setup as they are in the planning stages while waiting for enough equipment to arrive. In the meantime, we applied for and have received the paperwork for the new Recreation bank account at Androscoggin. It should be ready to go this week

The contracts for the new server and new computer equipment were signed the day after the December Public Hearing on the new 2022 budget. The order was then placed for the upgrade. Logically has received a number of the computers and/or parts, however, is lacking a number of strategic electronics in order to proceed ahead. The company is going to start to put the computers together. So far, they do not have a time that the electronics are going to be delivered to their company but hopefully will the next time that we call back. I provided the Assistant with a number of questions on the process and whether on the timetable we can install all or part of the new setup on a Wednesday when we are closed to avoid the disruption of customer service or can we leave two computers up and running to serve customers while they work on the complete upgrade. When our Assistant has the schedule, I will provide an update to the Town Council.

19. Code Enforcement Actions:

Update:

I have met with the Code Enforcement Officer nine (9) times regarding the properties in question. Specifically, we were to send letters requesting a plan of action to address the code violations at the four priority sites plus the other identified sites. The intent is to have a plan provided to clean up or fix up the sites based upon the work identified by the CEO with the Town providing a dumpster (to move this along). If a plan with appropriate due dates can be identified and agreed to between the property owner and the CEO, then a Consent Agreement will be drafted and signed. If the project is cleaned up and/or fixed up, then fine. If not, we file for court. This will show the designated judge in our backed-up court system that we did try to address these problems, we have a signed consent agreement that was not followed and there is no recourse but court.

We have been notified that the Somerset Avenue property is in the process of being sold.

There was an interesting Portland Press Herald article last week regarding “Backlogs causing delays in thousands of Maine court cases”. Things are more backed up than one would think.

Background:

153 Washington Street: The Fire Chief followed up on this property and reported at the last Council Meeting that the wires are just too close. Chief Williams is checking with Central Maine Power and the telephone company regarding whether their lines can be protected given the proximity of the burn. In addition, the smoke and debris are being reviewed as homes are in close proximity.

The Code Enforcement Officer has followed up on two of the properties:

140 Leonard Street: The property owner agrees to clean up the property and pledged to the CEO that he will start April 1. He has asked for the dumpster from the Town to be available and then hauled to the Transfer Station when he fills it up. I advised the CEO this is good, however, that we are going to sign a consent agreement on this to ensure that it takes place.

We are verifying with the Transfer Station/Recycling Coordinator the possibility of the Transfer Station hauling the dumpster to the site. We also need to estimate the number of loads.

231 Somerset Avenue: The legal firm representing the property owner is no longer involved with the case. Therefore, the property owner is likely representing himself. I have advised the Town Attorney and asked for a recommendation on how to proceed given the situation.

No further reports have been received on these properties.

History:

At the Council Meeting on 02/15/2022, we discussed these recommendations and are proceeding ahead to have the Code Enforcement Officer work with the individuals to get these code violations addressed

Regarding the 4 specific cases, below is the review of Attorney McCall working on these code violations:

153 Washington Street (Map 29, Lots 50 & 51): The file indicates that this property is likely dangerous within the meaning of the dangerous building statute, *i.e.* siding is missing, holes in foundation, etc. The Town Council can most effectively address this property by noticing and conducting a dangerous building proceeding at the local level. Upon completion, the property owner may be forced to undertake the necessary repairs or else risk having the building demolished. This property should be the Town's immediate priority, given the available options and need for more immediate remediation.

140 Leonard Street (Map 26, Lot 37): This property was the subject of a Rule 80K land use enforcement matter in 2015, regarding alleged violations of the Town's plumbing and fire codes, as well as the illegal establishment of a junkyard. The matter was resolved by entry of a final order and judgment on January 9, 2016. The Order required the property owner to: (i) remove or fully screen all junk materials from the property, (ii) fully enclose or secure the property's foundation to prevent further vermin infestation, and (iii) reimburse the Town for its attorney's fees and costs, totaling \$3,247.35. Later correspondence from the CEO, dated April 9, 2021, shows that full compliance with this court order was not achieved. Recent photos of the property show a tall stockade fence surrounding the entire yard, making a determination of the structure or yard's status difficult. The Town could attempt to enforce the existing court order from 2016 by filing a motion for contempt with the District Court; however, additional proof of non-compliance would be needed, and absent the property owner's consent, an administrative inspection warrant is likely required to allow for further inspection. Alternatively, the Town could focus efforts on the state of the structure itself, and consider initiating a dangerous building proceeding (correspondence from April of 2021 describes this as a possibility). Further evidence of the structure's dilapidated state would be needed in order to substantiate such a finding. Ultimately, the potential difficulty of collecting additional information regarding the property's current state could prove to be expensive and time-consuming. The Town Council should consider those costs and weigh the same against the benefits of moving forward at this point in time.

231 Somerset Avenue (Map 28, Lot 51): This matter has been ongoing for many years. The photographs in the file do indicate potential violations of the property maintenance code, but they do not appear to be major. We also understand that the property owner may still be in a long-term care facility due to a fall from the roof. Given the nature of the problems with the building, the fact that some progress appears to have been made, and the property owner's current condition, the Town should consider monitoring this property for further improvement. Reaching out to the property owner's attorney for any potential status update could also improve the situation. However, moving forward with a Rule 80K proceeding at this stage is probably a step too far at this point, given the nature of the violations and the potential difficulty of conducting a hearing and/or enforcing any court order given the property owner's current condition.

139 Manson Street (Map 25, Lot 42): I agree with the Town's assessment that proper remediation of this property has taken too long. However, the property owner has a documented history of health issues that have stalled efforts to complete necessary renovations. Furthermore, reports from the then-CEO in November of 2021 indicate that substantial repairs have been made to the building, including the installation of a new roof, and that "Over all I would say that the house is sound." The most recent pictures do indicate issues with some windows, peeling paint, and other issues with the siding. It is possible that the property still remains in violation of the Town's property maintenance standards, particularly given the state of the building's exterior walls. However, given the progress made, and the difficulty in navigating the court system with a defendant with a documented history of health issues, continuing to work with this property owner towards and eventual resolution of the documented issues is likely the most effective and cost-efficient way forward.

History:

Mr. Tempesta will be the Code Enforcement Officer who will be bringing the cases to court so he needs to be involved. For the Somerset Avenue property, the elderly owner was repairing the facility himself and fell off the roof. He has a long recovery period in order to be able to get around. The gentleman did work on the property. We will send the file to the Town Attorney, however, ask how to address this. Basically, the owner is recovering from a dreadful fall and will be unable to go to court. The Washington Street property file has more enforcement action in it against the former owners of the property vs. the current owner. I wrote a letter for the former Code Officer just before he retired after I went out and saw the property last year. Bob Geaghan, the new Code Officer has written letters requesting compliance. We are asking the attorney for advice on how to proceed. The Leonard Street property seems to have more junk now than it had before so that file is going to the Town Attorney. The Manson Street property is neat and orderly in the yard, however, the building needs considerable work. The owner wrote to the Town that he has been ill and explained out what has been taking place. We will ask for advice on all of these. Since Al will be taking the cases to court, we needed him to be involved which he now has been. Copies of the files are being forwarded to the Town Attorney on Wednesday, 01/19/2021.

The Code Enforcement Officer (CEO) was asked to address the property on North Main Street that has its windows removed and sitting outside which is resulting in further deterioration.

The Code Enforcement Officer (CEO) was dispatched to a property at the corner of Harriet and Madawaska Avenue which is a very dilapidated building. The owner was to be instructed to tear it down due to its condition.

The CEO was persistent with the owners of the property at the corner of Lancey Street and Peltoma Avenue. After multiple calls and letters, the owners did schedule a major tree cutting day at the property. The owners have also pulled a building permit to fix up the property. The CEO has been instructed to keep in contact with the owners to monitor their progress.

The Alternate Code Enforcement Officer sent a letter to the property owners on Webb Road. The facilities at this property have expanded without proper permits.

20. Water/Sewer Projects:

History:

There is a lengthy list of Water and Sewer Projects available for completion. Several Departments Meeting were held which was very informative on priorities and addressing particular items in the most commonsense and systematic fashion.

I was able to meet with several water and sewer employees from Olver Associates to discuss proposed projects for the ARPA funding as well as capital priorities. Annaleis Hafford and I have had several meetings to discuss issues as well as paving/water/sewer projects. Water/Sewer is a large discipline that needs to be a focus for Spring and Summer this year

A comprehensive list of the projects to be undertaken will be provided at a later date once more planning is conducted on how to accomplish as much as possible.

I will mention one item:

A citizen was advised that someone was not billed for 5 years: As I had to review each account that was being billed to address the code processing issue, I reviewed the accounts. I did not see an account that was not being billed unless it had been listed as turned off and there was a record of why it was turned off. We did find out later on that the individual was provided with incorrect information and neither she nor I could figure out why this took place. I appreciate the fact that she did tell us about this because as a result of her comments, I did locate an item that needs to be reviewed:

The Town has a list for each Book of Locations where water is turned off: In our Departments Meeting, we determined that each of these locations needs to be reviewed in the field.

Update:

In the interim while waiting for good weather for the Water/Sewer Department to check all the turned off locations, we verified all locations vs. account information to have updated lists for the Water/Sewer Department to utilize in the field.

We are also going to check the hookups at the end of the line as some have water and sewer; some have just water and some have just sewer. This will ensure that the last one on the line being billed is actually the last one on the line.

There are many other projects to work on which include:

- a. *Leak Detection, of which we have had fantastic results;*
- b. *Rehabilitation of the Wells;*
- c. *Sewer Video Work for roads that may be paved;*
- d. *Inspection and Cleaning of Water Storage Facilities;*
- e. *VAS Program with E.J. Prescott;*
- f. *Grant for the Stationary Backup Generator;*
- g. *Grant for the Capacity Study;*
- h. **Creating and bidding out the Painting of one or more Water Storage Tanks and the most critical one with all of the funding coming up;**
- i. **To look for, determine and apply for water/sewer funding with the Town Manager.**

THANKS so much. Have a Happy and Safe New Year All Year Long!

Kathryn Ruth

Kathryn Ruth

Town Manager